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 APR 22 2011
 AT SEATTLE
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
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 BY _____

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

MARVIN KRONA,

Plaintiff,

v.

SNOHOMISH COUNTY SHERIFF, *et al.*,

Defendants.

CASE NO. C11-315-JLR-BAT

**ORDER ADOPTING REPORT
 AND RECOMMENDATION
 AND DIRECTING SERVICE
 BY FIRST-CLASS MAIL AND
 PROCEDURES**

The Court **ADOPTS** Magistrate Judge Brian A. Tsuchida's Report and Recommendation, *after* review of it and Plaintiff's Objections.

The Court therefore (A) **DISMISSES** as time-barred the false-arrest claim against Snohomish County Sheriff's Office Deputy Tangborn for failure to state a claim upon which relief may be granted, (B) **DIRECTS** the Clerk to list Deputy Costelio as the sole, remaining defendant, and (C) **ORDERS** service of the amended complaint as follows:

(1) Service by Clerk

The Clerk is directed to send the following to the sole remaining defendant Deputy Costelio by first class mail: a copy of plaintiff's **amended complaint** (Dkt. 11) and of this Order, Magistrate Judge Tsuchida's Report and Recommendation, two copies of the Notice of Lawsuit and Request for Waiver of Service of Summons, a Waiver of Service of Summons, and a return envelope, postage prepaid, addressed to the Clerk's office.

The Clerk shall also send a courtesy copy of the amended complaint and of this Order to the

1 Snohomish County Prosecutor's Office, by first-class mail.

2 (2) Response Required

3 Defendant shall have **thirty (30) days** within which to return the enclosed waiver of service
4 of summons. Any defendant who timely returns the signed waiver shall have **sixty (60) days** after
5 the date designated on the notice of lawsuit to file and serve an answer to the complaint or a motion
6 permitted under Rule 12 of the Federal Rules of Civil Procedure.

7 Any defendant who fails to timely return the signed waiver will be personally served with a
8 summons and complaint, and may be required to pay the full costs of such service, pursuant to Rule
9 4(d)(2). A defendant who has been personally served shall file an answer or motion permitted
10 under Rule 12 within **thirty (30) days** after service.

11 (3) Filing and Service by Parties Generally

12 All attorneys admitted to practice before this Court are required to file documents
13 electronically via the Court's CM/ECF system. Counsel are directed to the Court's website,
14 www.wawd.uscourts.gov, for a detailed description of the requirements for filing via CM/ECF. All
15 non-attorneys, such as *pro se* parties and/or prisoners, may continue to file a paper original with the
16 Clerk. All filings, whether filed electronically or in traditional paper format, must indicate in the
17 upper right hand corner the name of the Magistrate Judge to whom the document is directed.

18 For any party filing electronically, when the total of all pages of a filing exceeds fifty (50)
19 pages in length, a paper copy of the document (with tabs or other organizing aids as necessary) shall
20 be delivered to the Clerk's Office for chambers. The chambers copy must be clearly marked with
21 the words "Courtesy Copy of Electronic Filing for Chambers." A party filing a paper original does
22 not need to file a chambers copy.

23 Additionally, any document filed with the Court must be accompanied by proof that it has

1 been served upon all parties that have entered a notice of appearance in the underlying matter.

2 (4) Motions

3 Regarding the filing of motions before the Court, the parties are directed to review Local
4 Rule CR 7 in its entirety. A few important points are highlighted below:

5 Any request for court action shall be set forth in a motion, properly filed and served.
6 Pursuant to amended Local Rule CR 7(b), any argument being offered in support of a motion shall
7 be submitted as a part of the motion itself and not in a separate document. **The motion shall**
8 **include in its caption (immediately below the title of the motion) a designation of the date the**
9 **motion is to be noted for consideration upon the court's motion calendar.**

10 **In all instances where one of the parties to a lawsuit is incarcerated, all categories of**
11 **non-dispositive motions not listed in Local Rule CR 7(d)(1) must be noted for the third (3rd)**
12 **Friday after the date of filing and service. See Local Rule CR 7(d)(2).**

13 All dispositive motions shall be noted for consideration no earlier than the fourth (4th)
14 Friday following filing and service of the motion.

15 (5) Direct Communications with District Judge or Magistrate Judge

16 No direct communication is to take place with the District Judge or Magistrate Judge with
17 regard to this case. **All relevant information and papers are to be directed to the Clerk.**

18 (6) The Clerk is direct to send a copy of this Order and the General Order to plaintiff
19 and a copy of this Order to Magistrate Judge Tsuchida.

20 DATED this 22nd day of April, 2011.

21 
22 JAMES L. ROBART
23 United States District Judge